

REMARKS

Claims 7, 8, 15 and 17 are pending in this application. By this Amendment, claim 7 is amended. Support for the amendment can be found, for example, in paragraph [0029] of the specification. No new matter is added.

The Office Action rejects claims 7, 8, 15 and 17 under 35 U.S.C. §103(a) over Sterzel (U.S. Patent No. 4,828,941) in view of Jaouen (U.S. Patent Application Publication No. 2004/0028992). Applicants respectfully traverse the rejection.

Claim 7 recites "the catalyst is bound by the anion exchange resin in the cathode catalyst layer, and the catalyst, the anion exchange resin, and the anion exchange membrane form a contact interface." In rejecting claim 7, the Office Action admits that Sterzel fails to disclose a catalyst that is bound by the anion exchange resin in the cathode catalyst layer, but alleges that Jaouen overcomes the deficiencies of Sterzel. The Office Action alleges that combining Sterzel with Jaouen would have been obvious "so as to have faster kinetics for the oxygen reduction reaction which takes place at the cathode side." Office Action at page 3.

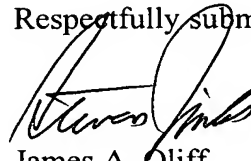
However, even if one of ordinary skill in the art were to combine Sterzel and Jaouen, which Applicants do not admit would have been obvious, the combination would not have resulted in the above referenced features of claim 7. In Jaouen, the cation conducting polymer is always interposed between the anion conducting polymer (and catalyst), and electrolyte membrane. Thus, if one of ordinary skill in the art were to have combined the references, the result would not have the above-quoted features of claim 7.

Claims 8, 15 and 17 are patentable by reason of their dependency from independent claim 7, as well as for the additional features they recite. Applicants respectfully request withdrawal of the rejection.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachment:
Request for Continued Examination

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